

Appl. No. 09/773,241  
Atty. Docket No. 8409  
Amdt. dated June 24, 2005  
Reply to Office Action of March 24, 2005  
Customer No. 27752

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

1. (Currently Amended) A disposable article configured to be worn over and about the lower torso of a wearer, the article comprising:
  - a) a containment assembly having a first longitudinal edge and a second longitudinal edge opposed thereto thereof, a first end edge and a second end edge opposed thereto, the first and the second longitudinal edges being configured to contact the legs of the wearer, and the first and the second end edges being structured and configured to contact the waist of the wearer; and
  - b) at least one elastomeric side panel carried by the containment assembly and extending outwardly from the first longitudinal edge of the containment assembly adjacent the first end edge of the containment assembly, the at least one elastomeric side panel including an outer periphery and an inner region having at least one discontinuity limited to the inner region for dividing a tensile force applied to the at least one elastomeric side panel into a waist-directing force and a leg-directing force wherein the at least one discontinuity is ~~neither directly or indirectly connected~~ bounded by the at least one elastomeric side panel, to the outer periphery.  
wherein the at least one elastomeric side panel further includes a waist region and a leg region separated by the at least one discontinuity, wherein the waist region is configured to transmit a waist-directing force, and the leg region is configured to transmit a leg-directing force, and wherein the waist region has an extensibility varying from about 5 g/mm to about 50 g/mm and the leg region has an extensibility varying from about 1 g/mm to about 30 g/mm.

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2. (Canceled).
3. (Canceled).
4. (Canceled).
5. (Currently Amended) The disposable article in accordance with claim 2 1 wherein the waist region has a greater width than the leg region.
6. (Currently Amended) The disposable article in accordance with Claim 2 1 wherein the at least one discontinuity is defined by at least one cut line.
7. (Original) The disposable article in accordance with Claim 6 wherein the at least one cut line is rectilinear.
8. (Currently Amended) The disposable article in accordance with Claim 6 wherein the at least one cut line is disposed substantially parallel with a first lateral edge of the at least one elastomeric side panel.
9. (Currently Amended) The disposable article in accordance with Claim 2 1 wherein the at least one discontinuity includes at least one opening.
10. (Original) The disposable article in accordance with Claim 9 wherein the at least one opening is defined by a substantially triangular open area or a substantially rectangular open area or a substantially trapezoidal open area.
11. (Currently Amended) The disposable article in accordance with Claim 2 1 wherein the at least one discontinuity is defined by a plurality of cut lines.
12. (Original) The disposable article in accordance with Claim 11 wherein the plurality of cut lines includes three spaced cut lines.

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13. (Currently Amended) The disposable article in accordance with Claim 12 wherein a first cut line extends substantially parallel to a lateral centerline of the at least one elastomeric side panel, a second cut line extends substantially parallel to the first lateral edge of the at least one elastomeric side panel, and a third cut line extends substantially parallel to a second lateral edge of the at least one elastomeric side panel.
14. (Original) The disposable article in accordance with Claim 6 wherein the at least one cut line is curvilinear.
15. (Original) The disposable article in accordance with Claim 11 wherein the plurality of cut lines is disposed to define a substantially triangular array of spaced, curvilinear cut lines.
16. (Currently Amended) The disposable article in accordance with Claim 2 1 wherein the waist-directing force in the waist region of the at least one elastomeric side panel extends at an angle ranging from about 0° to about 45° relative to a lateral centerline of the disposable article, and wherein the leg-directing force in the leg region of the at least one elastomeric side panel extends at an angle ranging from about 10° to about 35° relative to the lateral centerline of the disposable article.
17. (Currently Amended) The disposable article in accordance with Claim 2 1 wherein the waist-directing force in the waist region of the at least one elastomeric side panel extends at an angle ranging from about 10° to about 15° relative to a lateral centerline of the disposable article, and wherein the leg-directing force in the leg region of the at least one elastomeric side panel extends at an angle ranging from about 20° to about 30° relative to the lateral centerline of the disposable article.

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18. (Currently Amended) The disposable article in accordance with Claim 2 1 wherein the at least one elastomeric side panel has an extensibility ranging from about 1 g/mm to about 50 g/mm.
19. (Currently Amended) The disposable article in accordance with Claim 2 1 wherein the at least one elastomeric side panel is elastic and has an elasticity of at least about 5 %.
20. (Canceled).